

REMARKS

Applicants wish to thank the Examiner for considering the present application. In the Office Action dated May 23, 2003, claims 1-19 are pending in the application. Applicants respectfully request the Examiner for reconsideration.

The oath or declaration was stated as being defective for failure to identify the application by the application number and filing date. Also, the Examiner states that the oath and declaration is defective because of the lack of a notary signature. Applicants respectfully submit that the documents submitted are a declaration and do not require a notary signature. Further, the declaration was filed electronically with the application and thus an application number and filing date was not known. Applicant respectfully requests the Examiner to reconsider this objection.

The drawings stand objected to because two reference numerals 18 are found in Fig. 1. Applicants have amended the uppermost 18 to reflect that it is the source vehicle 10.

The specification stands objected to because on page 4, lines 1-4, the phrase "memory 14" should be changed to "memory 32."

Claims 1-2, 5-8, 11-15, and 17-19 stand rejected under 35 U.S.C. §102(b) as being anticipated by *Fujinami* (US 6,259,359). Applicants respectfully traverse.

Claims 1, 7, and 13 were amended to clarify the claims. Claim 1 is a warning system having a camera, an indicator, and a controller. The controller is coupled to the indicator that receives the plurality of images from the camera. The controller generates a size and position signal for the rear approaching vehicle from the

plurality of images. The controller activates an Indicator when the rear approaching vehicle enters a blind spot as determined in response to the size and position signal.

Applicants respectfully submit that the *Fujinami* reference does not teach or suggest generating a size and position signal for the rear approaching vehicle from a plurality of images and the *Fujinami* reference fails to teach or suggest that the controller generates an indicator when the rear approaching vehicle enters a blind spot as determined in response to the size and position signal. Applicants have reviewed the *Fujinami* reference. The *Fujinami* reference describes optical flows. Optical flows are defined in Col. 1, lines 27-40. As is described, the optical flows are corresponding points in two images that form speed vectors. In the paragraph beginning in Col. 7, line 65 through Col. 8, line 11, the length of the optical flow is described. As is set forth in Col. 8, lines 4-7, "...when the length of the optical flow diverging from the FOE exceeds a pre-described length, it is decided that the other vehicle is abruptly approaching one's own vehicle." Thus, it is clear that the length of an optical flow is not describing the size of a rear approaching vehicle. Therefore, the *Fujinami* reference does not have a controller that generates a size and position signal for a rear approaching vehicle and a controller that activates an indicator in response to the size and position signal.

Claim 7 is similar to claim 1 in that a size and position of the rear approaching vehicle is described. Thus, in claim 7 the controller activates the indicator when a rear approaching vehicle enters a vehicle as determined in response to size, track, and position.

Claim 13 also describes a size of the vehicle. That is, the last step includes generating a warning when the object enters the blind spot and in response to

size. This claim has been amended to include the size of the object. Therefore, for the same reasons set forth above with respect to claim 1, claim 13 is believed to be patentable.

Claims 2, 5, 6, 8, 11-12, 14-15, and 17-19 are believed to be allowable for the same reasons that their independent claims are believed to be allowable. Applicants respectfully request the Examiner for a reconsideration of these dependent claims as well.

Claims 3, 9, and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Fujinami* in view of *Schnee* (US 6,057,880). Although a low light video is taught in the *Schnee* reference, no teaching or suggestion is provided for the combination of the *Schnee* reference with a warning system for a blind spot of an automotive vehicle. Further, the *Schnee* reference does not teach or suggest the elements missing from claim 1. Namely, the *Schnee* reference does not teach or suggest generating an indicator when a rear approaching vehicle enters a blind spot as determined in response to size and position.

Claims 4 and 10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Fujinami* in view of *Werbos* (US 5,751,915). Applicants respectfully traverse.

Although a fuzzy logic system is described in the *Werbos* reference, the *Werbos* reference fails to teach or suggest the limitations missing from claim 1 with respect to the *Fujinami* reference. That is, the *Werbos* reference does not activate an indicator when the rear approaching vehicle enters a blind spot as determined in

response to a size and position signal. Applicants therefore respectfully request the Examiner for a reconsideration of claims 4 and 10.

In light of the above amendments and remarks, applicants submit that all rejections are now overcome. The applicants have added no new material to the application by these amendments. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments the Examiner is respectfully requested to call the undersigned attorney.

Please charge any fees required in the filing of this amendment to Deposit Account 06-1510.

Respectfully submitted,



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